

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VASUDEVAN SOFTWARE, INC.,

No. C 11-06637 RS

Plaintiff,

v.

**CASE MANAGEMENT
SCHEDULING ORDER**

MICROSTRATEGY INC.,

Defendant.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a Case Management Conference was held on April 19, 2012. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record and good cause appearing, IT IS HEREBY ORDERED THAT:

1. **DISCOVERY.** On or before February 15, 2013, all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) a reasonable number of requests for admission per party.

2. **ELECTRONIC DISCOVERY.** The exchange of all electronically stored information shall be governed by the Model Order on E-Discovery in Patent Cases with the following modifications: (1) each party shall limit its email production requests to a total of ten (10) custodians per producing party; and (2) each party shall limit its email production requests to a total of twenty-five (25) search terms per custodian per party.

3. **EXPERT WITNESSES.** The disclosure and discovery of expert witness opinions shall proceed as follows:

- 1 A. On or before March 22, 2013, the parties shall exchange all expert reports.
2 B. On or before April 12, 2013, the parties shall exchange all rebuttal expert reports.
3 C. On or before May 3, 2013, all discovery of expert witnesses pursuant to Federal Rule
4 of Civil Procedure 26(b)(4) shall be completed.

5 4. CLAIM CONSTRUCTION SCHEDULING.

- 6 A. All invalidity contentions shall be due no later than **April 12, 2012**.
7 B. The parties shall exchange proposed terms for construction no later than **April 26,**
8 **2012** in accordance with Patent L.R. 4-1(b).
9 C. The parties shall exchange preliminary claim constructions and extrinsic evidence no
10 later than **May 17, 2012**.
11 D. The parties shall file their joint claim construction and prehearing statement no later
12 than **June 11, 2012**.
13 E. Claim construction discovery shall be completed no later than **July 11, 2012**.
14 F. Plaintiff shall file its opening claim construction brief no later than **July 26, 2012**.
15 G. Defendant shall file its responsive claim construction brief with support no later than
16 **August 9, 2012**.
17 H. Plaintiff shall file its claim construction reply brief no later than **August 16, 2012**.
18 I. A Tutorial and Claim Construction Hearing shall take place in Courtroom 3, 17th
19 Floor, 450 Golden Gate Avenue, San Francisco, California on **September 12, 2012 at**
20 **10:00 a.m.**

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22 IT IS SO ORDERED.

23 Dated: 4/27/12

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25 RICHARD SEEBORG
26 UNITED STATES DISTRICT JUDGE
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